

**MINUTES OF THE COURT OF APPEAL
STATE OF CALIFORNIA
SECOND APPELLATE DISTRICT**

July 14, 1999

DIVISION ONE

B116480 Archuleta (Not for Publication)
v.
Carreda

We reverse the trial court's orders disallowing Archuleta's costs and awarding costs including expert fees to Carreda. We remand the case for the trial court to enter new orders awarding Archuleta her costs and denying Carreda her costs, and to enter a new judgment reflecting those amounts. In all other respects, we affirm the judgment. We award Archuleta her costs on appeal.

Ortega, J.

We concur: Spencer, P.J.
Vogel (Miriam A.), J.

B116776 Berkovich et al. (Not for Publication)
v.
Larry Moore & Associates, Realtors, Inc.

We affirm the judgment and expert fee award. Respondents are awarded costs and reasonable attorney fees on appeal.

Ortega, Acting P.J.

We concur: Vogel (Miriam A.), J.
Masterson, J.

DIVISION ONE (Continued)

B125285 McKelvey et al.
B125298 v.
 Boeing North American, Inc., et al.

B130137 Boeing North American, Inc., et al.
 v.
 SCLA
 (Adams et al., r.p.i.)

B130146 Boeing North American, Inc., et al.
 v.
 SCLA
 (Davis et al., r.p.i.)

Filed order for partial publication and order modifying opinion. (No
change in the judgment)

B119498 Associated Aviation Underwriters (Not for Publication)
 v.
 Wolfe Air Aviation, Ltd.

We reverse the summary judgment in favor of Wolfe on the coverage issue.
We remand the case for the trial court to enter judgment for AAU on the
coverage issue, and to determine the amount of reimbursement to which
AAU is entitled. We affirm the judgment for AAU on the bad faith issue.
AAU is entitled to its costs on appeal.

Ortega, Acting P.J.

We concur: Vogel (Miriam A.), J.
 Masterson, J.

July 14, 1999-Continued

DIVISION ONE (Continued)

B127497 People (Not for Publication)
v.
Neville B.

The judgment is affirmed.

Vogel (Miriam A.), J.

We concur: Spencer, P.J.
Masterson, J.

DIVISION TWO

B120361 People (Not for Publication)
v.
McClelland

The judgment is modified to reflect a \$200 fine pursuant to section 1202.45, which fine shall be suspended unless appellant's parole is revoked. The abstract of judgment shall be amended to reflect this fine and the trial court's award of 1,069 days of presentence custody credit, consisting of 713 days of actual custody and 356 days of conduct credits. In all other respects, the judgment is affirmed.

Boren, P.J.

We concur: Nott, J.
Zebrowski, J.

B123756 People (Not for Publication)
v.
Baca

The judgment is affirmed.

Boren, P.J.

We concur: Nott, J.
Zebrowski, J.

July 14, 1999-Continued

DIVISION TWO (Continued)

B120380 People (Not for Publication)
v.
Guerrero

The Court:

The judgment is affirmed.

Boren, P.J., Nott, J., Zebrowski, J.

B116624 People (Not for Publication)
v.
Quijas

The judgment as to count II is reversed. The judgment as to count I is modified to assess and additional restitution fine of \$200 pursuant to section 1202.45, to be suspended unless defendant's parole is revoked. In all other respects, the judgment is affirmed.

Zebrowski

We concur: Nott
Mallano, J.(Assigned)

B116524 Marshall (Not for Publication)
v.
Ma

The order setting aside the judgment is reversed, and the matter is remanded for a hearing on the issue of extrinsic fraud. Appellant to recover costs on appeal.

Zebrowski, J.

We concur: Boren, P.J.
 Nott, J.

DIVISION THREE

Court convened at 9:30 A.M.

Present: Klein, P.J., Croskey, J., Kitching, J., Aldrich, J., and Valorie Gray, Deputy Clerk.

Each of the following:

B131585 Violeta L., v. S.C.L.A.
B127356 Children & Family Services v. Joni K.
B122060 Children & Family Services v. Christine P.
B116848/B122279 People v. Canela
B122816 People v. Satchel
B132037 Ramona C., et al. v. S.C.L.A.
B121555 People v. Hilt et al.
B122620 People v. Belair
B123036 People v. Long
B122078 White v. Hawthorne School District

Argument waived, cause submitted.

B125605 Lang
 v.
 Hochman

Merits:

Argued by David R. Shaub for appellant and by David B. Casselman for respondent. Supplemental letter brief by respondent due on July 19, 1999. Reply by appellant due on July 26, 1999. Submission deferred.

B112781 Sheets
 v.
 Masterson Scafford Co.

Merits:

Argued by Peter R. Di Donato for appellant and by William Leamon Cummings for respondent. Cause submitted.

The Court recessed at 11:57 A.M.

DIVISION THREE (Continued)

The Court reconvened at 1:30 P.M.

Present: Klein, P.J., Croskey, J., Kitching, J., Aldrich, J., and Valorie Gray, Deputy Clerk.

B105730 Barquero et al.
 v.
 Riordan et al.

Merits:

Argued by Amilcar Barquero in propria persona for appellants and by Ellen A. Pansky for respondent Tom Medrano. Argument waived by all other respondents. Cause submitted.

B123271 Clermont
 v.
 City Of Burbank

Merits:

Argued by Carolyn A. Barnes, deputy city attorney, for appellant and by Alan Tzinberg for respondent. Cause submitted.

B119537 Wiltern Associates
 v.
 L.A. County Metropolitan Transportation

Merits:

Argued by Peter C. Sheridan for appellant and by Paul M. Smith for respondent. Cause submitted.

B120607 Pacific Enterprises Commercial Loans, Inc.
 v.
 Cruz

Merits:

Argued by Heroico M. Aguiluz for appellant and by Howard M. Jaffe for respondent. Cause submitted.

DIVISION THREE (Continued)

B112998 Spahnn
 v.
 Henderson et al.

Merits:

Argued by Brian Jacobs for appellant and by Pamela S. Cooke for respondent Henderson and Melman. Cause submitted.

The Court adjourned at 3:34 P.M.

DIVISION FOUR

B127655 People
 v.
 Brooks

Filed order denying petition for rehearing.

B127655 People
 v.
 Brooks

Filed order modifying opinion. (No change in the judgment)

B129253 In re Barnes
 on
 Habeas Corpus

Filed order modifying opinion. (No change in the judgment)

DIVISION FIVE

B122392 Cynthia Anderson (Not for Publication)
 v.
 City of Los Angeles

The judgment is affirmed. Anderson is to pay City's costs on appeal.

Grignon, Acting P.J.

We concur: Armstrong, J.
 Godoy Perez, J.

B129393 Los Angeles County, D.C.F.S. (Not for Publication)
 v.
 Stacie M. et al.

The orders are affirmed.

Grignon, Acting P.J.

We concur: Armstrong, J.
 Godoy Perez, J.

B124483 Mountains Recreation & (Not for Publication)
 Conservation Authority
 v.
 Tucker Land Company

The judgment is affirmed. Respondent Tucker Land Company is awarded its costs on appeal.

Grignon, J.

We concur: Turner, P.J.
 Armstrong, J.

DIVISION FIVE (Continued)

B110077 Rosa Cooper (Not for Publication)
 v.
 Healthcare Security Service Group et al.

The judgment is affirmed. Respondents Healthcare Security Service Group and Richard Thompson are awarded their costs on appeal.

Grignon, Acting P.J.

We concur: Armstrong, J.
 Godoy Perez, J.

DIVISION SIX

Court convened at 9:00 A.M.

Present: Gilbert, Acting P.J., Yegan, J., Coffee, J., Matz, J. (Assigned), and G. Bents, Deputy Clerk.

B124759 Rose
 v.
 Regents of the University of California

Appearances:
Karen Peabody for respondent and no appearance for appellant. Argument waived, cause submitted.

B123774 Garl
 v.
 Lanier

Merits:
Argued by Chris R. Kroes for appellant and by Brian O'Connor for respondent. Cause submitted.

DIVISION SIX (Continued)

B115679 Spelling
 v.
 R.W. Lamar Construction, Inc.

Merits:
Argued by Robert Chapman for appellants and by Carolyn Oill for respondent. Cause submitted.

Matz, J. (Assigned) leaves the bench.

B125104 Szalay
 v.
 Kardly

Merits:
Argued by Adam Von Dioszeghy for appellant and by Albert F. Coombes for respondent. Cause submitted.

B124708 Zapienza
 v.
 Zapienza

Appearances:
No appearance for appellant or respondent. Argument waived, cause submitted.

B124341 Golden Eagle Insurance Co.
 v.
 Erlich
 (Globe Indemnity Insurance Co.)

Merits:
Argued by Victor G. Zilinskas for appellants and by John J. Perlstein for respondent. Cause submitted.

Court recessed at 10:05 A.M.

DIVISION SIX (Continued)

Court reconvened at 1:30 P.M.

Present: Gilbert, Acting P.J., Yegan, J., Coffee, J., Matz, J. (Assigned), and G. Bents, Deputy Clerk.

B128930 Webber
 v.
 Webber

Merits:

Argued by Leila J. Noel for appellant and by Donald L. Boden for respondent. Cause submitted.

Yegan, J. leaves the bench.

B127122 Young
 v.
 Dept. of Motor Vehicles

Merits:

Argued by Gary Kast for appellant and by Matthew D. Botting, Deputy Attorney General, for respondent. Cause submitted.

B123492 Fickel
 v.
 Schwarzbein

Merits:

Argued by Susan H. McCollum for appellants and by Marvin A. Bauer for respondent. Cause submitted.

B121166 Crawford
 v.
 Kessler

Merits:

Argued by Harvey Rochman for appellant and by Alan Blakeboro for respondents. Cause submitted.

July 14, 1999-Continued

DIVISION SIX (Continued)

B121113 California Spaceport Tours, Inc.
v.
Western Commercial Space Center, Inc.

Merits:
Argued by Michael B. Dashjian for appellant and by Gerald B. Velasco for respondent. Cause submitted.

Court adjourned at 3:15 P.M.

DIVISION SEVEN

B118599 McNeil (Not for Publication)
v.
Atighi

The judgment is affirmed. Respondent to recover costs on appeal.

Woods, J.

We concur: Lillie, P.J.
Johnson, J.

B111848 People (Not for Publication)
v.
Estrada

The judgment is affirmed.

Woods, J.

We concur: Lillie, P.J.
Johnson, J.

July 14, 1999-Continued

DIVISION SEVEN (Continued)

B123445 People (Not for Publication)
v.
Mojarro

The judgment is affirmed.

Johnson, J.

We concur: Lillie, P.J.
Woods, J.